Tombs Angel Testifies.

#### MARIA'S TORTURE NEARLY AT AN END.

One of the Defence's Future Experts Testifies-Realistic Imitation of an Epileptic Fit.

By Julian Hawthorne.

T was an Italian morning in court, whatever it may have been outdoors yesterday. There was an interesting contrast between our hard, angular, precise legal English, and the flow and ripple of the Tuscan tongue. It is many years since I listened to it in its native habitat; it sounds and looks much the same as it did then, and I even flattered myself that I was able to follow the utterances of the interpreter. I am sure he speaks his language better than I do mine, and it is worth coming to court merely to hear him roll out the names of the Italian witnesses. And it was marvellous, the transfiguration of the categorical interrogations of defendant's counsel, as they curvetted from the eloquent lips of the accomplished signor.

Signora Porzia's tongue was like an Italian greyhound; it not only outran the demands of the questioner, but the interpreter himself lost breath in his endeavors to keep pace with it. As for the stenographer, high though is my estimate of his abli-Ity to perform miracles, I could not help thinking that had he been obliged to take down the fluent Signora's words as she spoke them, he would have met his match.

Madame was quietly, but effectively dressed in dark colors, and had an attractive and very human face. She used the light, expressive gestures of her people, and altogether reminded me a little of Duse in some of her modern domestic scenes. It is nothing against the validity of Italians as witnesses that they cannot help acting, though at a certain stage of the proceedings. Mr. McIntyre seemed disposed to

think otherwise, or at least to question the fact. When Angelo Piscopo ascended the throne beneath the skull, he was so undemonstrative that he seemed hardly to warrant his name. He was a most respectable and transparent person, with good clothes and a countenance like that of a reformed Sioux brave. There was a difficulty in determining his conception of the physical relation between his apartment and that of Maria in the Thirteenth street house. At one moment there seemed imminent danger that it would go down to posterity that the two were separated only by a "pump." "What sort of a pump?" "A water pump." But it happliy transpired, at last, that there was a wall also, and Mr. McIntyre was

in the Chair.

Angelo's first revelation of dramatic faculty was when he for a moment became Maria while describing the way she had a fit, or a fainting spell. His head fell back, his eyes rolled up, his eyelids quivered, and his legs assumed a certain rigidity. This apparent histrionism wounded the District-Attorney, and an investigation was held, with stormy passages between opposing counsel. Did Angelo mean to convey to the jury that Maria's eyelids had quivered several times to the second, or were her eyes fixed and dreadfully staring? Angelo explained that the eyelid business had been an involuntary gloss of his own, due to

his nervous temperament. Mr. McIntyre de sired him to "do it again;" Angelo was disposed to resent being put in the light of a theatrical artist; and now his vehement southern nature began to declare itself, and he let fall replies intended to be sar-castic, to the high dejectation of defendant's counsel. Indeed, I confess to thinking that Mr. McIntyre was not wholly fortunate in his efforts to discredit the testimony of this excellent young man; he entertained, as it were, an Angelo unawares. Perhaps Angelo had permitted himself to be unduly affected by the spectacle of Maria's tears and misfortunes; but he will grow more callous with age. Meanwhile, it is a herculean enterprise on Mr. McIntyre's part to "object" to the Italian temperament. The lady who tried to sweep out the Atlantic Ocean with her mop had a comparatively easy

While this was going on, Mr. Friend was showing to friends in court the sliver pencil case and autograph letter that Maria had sent him for a birthday present, and remarking with great justice that it showed a lovable nature in her to think of doing a kindness to another at a time of such discomfort to herself. Maria's handwriting is much clearer than her speech, as she certainly shows proficiency in English, as well as in qualities of the heart. But, after all, she is not quite the same Marin that she was on the 26th of April, 1895. And, speaking of omens, I noticed, just before recess, that in addition to the skull over the witness chair, there is a coat-of-arms in the central panel picture, representing what looks like four razors rampant, with jagged edges. They are held suspended by two cherubs just above the head of the handsome young woman with the scales and the American flag, whom I should take to be Justice, were it not for the absence of blinders. But I am not competent to interpret these por-

After recess a Comstock gentleman sat in the chair and refused to be persuaded by the District-Attorney that it might have been From Anthony the afternoon and not the morning when he saw Maria in Essex Market Court a year and a half ago. He did not weaken even when it was intimated that our Purveyor of Virtue himself differed from him in his testimony.

"I do' know what he seen-I tell it as I seen it," was his final word, meeting the ends of his thumbs together in his lap. And they had to let it go

Mrs. Foster, Maria's friend and supporter, had the next turn in the chair. She was resolved to tell the truth and to benefit Maria, and doubtless did both, for I doubt if any evil-minded person would take to this lady, or win from her the kind of affection Mrs. Foster evidently feels for Maria. But the rules of evidence are always getting in the way, as is their habit when anything is trying to get said that the audience would particularly like to hear, and though Mr. McIntyre said some very nice things to Mrs. Fos-

ter, still--- But there was no harm done, at all events.

That was a brilliant episode when Mr. Friend was called by the defence-brilliant, and all too brief. His examination was chiefly cross-examination, and again, had I been Mr. McIntyre, I should have let this gentleman be. Not being the District-Attorney, I shared the general gratitude that he measured swords with him. Mr. Friend began by betraying coyness as to his age, as being a thing the revelation of which would tend to incriminate him, and he remarked, upon provocation, that the defendants whom he and his colleagues defended had a way of getting acquitted. He further stated, upon being asked whether a certain person whom he had upon a trial proved to be insane had not immediately after acquittal recovered his sanity, that such was the fact, but that the jury (and not necessarily Mr. Friend also) had thought him mad at the time when their opinion was of importance. He finally dealed being a barber, and, indeed, seemed to be loaded for any game that might be flushed, but counsel let him go, and the audience settled back in their chairs with a regretful sigh. O si sic omnes!

The evening star was a young doctor, whose name alone begins with four consonants, and whose accomplishments all the Young Doctor, letters of the alphabet might strive value to express. He knew so much in the first few minutes that even the Judge was alarmed, and presided over a discussion whose upshot happily indicated that only the merest fraction of the doctor's attainments were to be unpacked on the present occasion. Mr. Mc-

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ONLY 60 CENTS A BOTTLE.

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Intyre, who absolutely fears nothing, had the temerity to attack, or, at, least, to engage, this personage. What, precisely, the doctor did to him I am totally unable to report, and I doubt if Mr. McIntyre himself could give a clear account of it. Mr. Hymes seemed to know all about him, and to be perfectly ready to have him touched off, should the Court so desire. But it ended with a mere enumeration of sundry measurements of Maria's mamma's head, taken by the doctor with instruments, the validity of which Mr. McIntyre vainly challenged. The doctor rend the measurements from a sheet of paper, incidentally betraying the existence of some fifty more in reserve. Then some one dumped within the railing two enormous packages of medical works and pamphlets; and the Judge promptly announced an adjournment. He added an obscure threat about night sessions, but I am loath to believe he meant it.

TRIAL NEARING AN END.

She was not interested by the testimony yesterday. Her weak eyes followed Mrs. Foster to the witness stand, but dropped to her lap when the witness began to testify, and the talk of Maria's convulsions and queernesses did not cause her to raise

dition.

dition.

They are nearing the end of the Barberi murder trial. The frayed ends of the testimous are being gathered and to-day all that has been learned, braided and plaited into coherence will be unwound before the experts, that they may say if the ugly little Italian girl knew what she was about when she murdered her sweetheart.

They approached the expert stage yesterday. They did not quite reach it, but they had Dr. Alois Hrdlicka Associate Expert in Anthropology and Criminology in the Pathological Institute of New York State Hospitals on the stand. He gave a formidable list of the colleges in which he had taken degrees and seemingly had had an endless expertgence with insanity, though he is a young man.

Mr. Meintyre got on his war paint as

MeIntyre got on his war paint as as the witness's hard name was cried out, but lawyers for the defense said Hrdlicka was not on the stand as an it yet, but was only there to give surements and statistics on the Barancesters. This was easy for the documents and statistics on the Barancesters. This was easy for the documents and statistics on the Barancesters. This was easy for the documents and statistics on the Barancesters. This was easy for the documents and statistics on the Barancesters. This was easy for the documents and statistics on the Barancesters. This was easy for the documents and statistics on the Barancesters. This was easy for the documents and statistics on the Barancesters. They was the defense and make these queer, ingenuous statements and mix in picty as sie does. But this fact does not prove that she is pretending. Really it looks, whether she killed Cataldo Ca n as the witness's hard name was cried court, but lawyers for the defense said Hrdlicka was not on the stand as an act yet, but was only there to give

The prosecution scoffs at the measure-cutn of heads as indicating anything, and r. Meintyre, after court adjourned yes-difference of the model of

MAY BE ALL RIGHT, BUT FOR A Professor Hedlicka did not take up all REAL WICKED COUGH OR COLD the court's time yesterday. There was on ONE BOTTLE OF the stand a woman to whom Cataldo had boasted of his conquests, a neighbor who RIKER'S EXPECTORANT witnessed one of Maria's epileptic fits, and Mrs Foster, the "Tombs Angel," who has is worth all the faith in kingdom come. traction of the distribution of the distribution of the little Italian dullard ever since for first trial. Mrs. Foster was called to all about Maria's idlosyncrasies, with a riew to impressing the jury still more with the defendant's abnormality.

Every witness instances Maria's dulness and indifference as indicating mental objuity. Certainly, on the outside, she is full and indifferent as melancholia itself.

ow her friends.
IcIntyre did not like that witness. When came his turn to question her he said, al-

wanton of her? Do you mean to tell us

a story?"
object, "cried Mr. House.
'ell, F'll withdraw it and let this witgo. You may go."
e look of disgust on Mr. McIntyre's
a favorite look of dis-would make
fortune of any actor.
gelo Piscopo, who occupied the room
b. 424 East Thirteenth street adjoining
in which Cataldo and Maria Barberi,
had a story to tell about the domestic
of the bootblack and the seamstress,
of the bootblack and the seamstress,
of the front room. These conversahad all to do with marriage, the girl
ling, pleading, the man scolding and
ang.

illy Piscopo asked Maria why she al-

ys cried,
Oh, don't speak of that! If you only ew my evil destiny. Some day I will end and my life," she answered.
'attrally that provoked further inquiry 3 then Maria told of her relations with taido and his refusal to make her a wife. Ilepsy in which Maria fell about ten ys before the killing of the bootblack.

accurately described the symptoms of liepsy.

He accurately described the symptoms of collepsy.

Piscopo was also in the saloon just before the killing. Maria and Cataldo were there, and he heard again the conversation he had heard so often—through the walls—the woman pleading and crying, the man denying and rebuising. Piscopo left the saloon and stood just outside the door. Presently Maria came our and went upstairs. She came down again and made a start as if to cross the street, then turned and reentered the saloon.

"I followed, curious to see what such a woman would do," he added.

He heard the old story told over by Maria, her mother, and Cataldo. The crying had ceased to be interesting, and he did not remain.

He was outside when Cataldo staggered out and crossed the street. He followed, Cataldo was clutching his bleeding throat. Presently Cataldo fell to the ground. Afterwards he saw Maria with a policeman. He spoke to her, but she did not answer him.

His Former Testimony.

His Former Testimony. "Did you testify at the former trial?" Mr. McIntyre began his cross-questioning. The witness had testified and Mr. McIn tyre pulled the record on him, and showed

these succeeding.
"The Judge stopped me," said Piscopo, in explanation.
"Why didn't you tell about seeing Maria in the street before she went into the sa-

Comstock's

Office.

onn.
"Because I was not asked."
"Did you testify on the last trial that you aw her fall in the half outside your room?"
Mr. Friend fought these questions fierce, and succeeded in getting this one ruled

e left the ouse intending to commit sur-Tiscopo gave a dramatic representation of Maria's epileptic fit. He stood up, blinked, gasped, trembled and sank exhausted late

That rather made Mr. McIntyre mad.

THE WEATHER.

Official forecasts for to-day indicate generally

Rusiness Potices.

## CASTORIA

For Infants and Children.

Deaths.

GEAGAN.-November 30, Grabam H. Geagan, son of George F. and Margaret A. Geagan. Funeral, 2 p. m. Wednesday, at 321 Ayerigg avenue, Passaic, N. J.

HOOFT .- Tuesday, December 1, Robert Hooft, beloved husband of Mary Hooft, in his fortyseventh year. Funeral from his late residence, 1724 Amsterdam ave., Thursday, December 3, at 1 p. m.

KENNY .- November 30, at 11 a. m., Mary

30, at his residence, No. 26 Gramercy Park, WILLIAM STEINWAY,

in the 61st year of his age, of typhoid fever. Funeral services at German Liederkranz Hall, No. 111 to 117 East Fifty-eighth street, on Wednesday, December 2, at 1 P. M. sterment in Greenwood Cemetery.

Personal.

HILL'S RHEUMATISM AND GOUT CURE; reatest of remedies; one bottle cures you, HILL HEDICINE CO., 2d East 19th st., New York ity. Send for circular. PLEASE send further details immediately in letter; everything is upset; whatever it is, will be fixed; come back under all circumstances.

FOF SICK Souls PROF ST. LEON, astrologer, 270 6th ave., one - FRIDAY, same place, rain or shine,

Religious Potices.

MOODY & SANKEY, In Cooper Union to-day at 10 a. m. and 2:30 p. m

Wanted...An Idea Who can think of some simple thing to patent? Protect your ideas; they may bring roo wenith Write JOHN WEDDIDERURN & CO., Dept. F. I., Patent Attorneys, Washington, D. C., for their \$1,500 prize offer and new list of 1,000 inventions wanted.

Magistrate Crane stared in astonishment

George Oram, an agent for the Society as three prisoners were arraigned before for the Suppression of Vice and a Society wenr, alo, as one eye was badly discolored and there was a big lump on her forehead.

nys say that she did not remember. She he would have said had he heard the ex- Silk and Worsted Plaids

'Did Maria blink her eyes?" he demand- "SUCH A SMALL CASE." Why Policeman Geisler Didn't Tell the Story of an Assault in

Then came Mrs. Foster.

"When first I saw the defendant," she said, "she was sitting in her cell in the times, told you all his private affairs, his amours, and the women he had ruined, his purpose to take this defendant and make a wanton of her? Do you mean to tell us a side of the content of the content

# hristmas

The Gorham Co. invite their patrons to take advantage of the opportunity offered for an early inspection of the new products in Sterling Silverware designed for the holidays. Selections can now be made with deliberation from a complete stock, and the marking executed with greater care than is possible later in the season. Articles purchased will be held for future delivery.

GORHAM MFG. CO. Broadway and Nineteenth Street. Silversmiths.

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contour of the head.

House talked back about the withering and said it all counted, and he needed the evidence in his bypout question that is to be propounded

PALMER'S THEATRE.

LAST WEEK.

Evenings at 8:15. Matinee Seturday at 2.

THE GREAT DRAMATIC SUCCESS. show that epilepsy was indicated by a pe-

Moody Wants Churches to Unite in Holding Continuous Services During All of Next Month.

Every day brings increasing signs of the great interest in the religious revival at Cooper Union. Mr. Moody began yesterday with an appeal for aid.

at 8:15.

THEATRE,
Last 2 weeks
SANTA MARIA

day with an appeal for aid. "Never, during the past century," his mid, "has the church had such an op-portunity for the spread of the gospel as now presents itself. Never has the work manifested a greater interest in religious caching. All substitutes for Christianity

d fallures, and the Nation is the more for the 'old paths, the

laces of worship, to be used but once or wice a week, while our neighbors are needig the message? Is it not time that the church arise? If we refuse to work in His service, be assure He will turn from the regular channels and find servants who will to His bidding in spreading the Gospel to very living soul.

"During the remaining days of this year let us all unite upon our Master for a special preparation for the coming Winter, and when the new year opens, why should not every Christian Church in America be gin the season with a tultry days' series or cospel meetings? Why not set aside all other diversions, and church work itself, during January, in a united work for the spread of the gospel? The world need it sorely, and was never more ready to receive it."

Mr. Moody then read questions which has been handed to him, and announced that ha would answer them this morning. He saft there were just as desperate cases in Ney York to-day as were chronicled in the New Testament, and said they must be cured in the same way, that is, by Jesus Christ.

STRUCK HIS SISTER DOWN.

cal Condition and Her Brother Bocked Up. Mary Cusick, twenty-five years old, is eatient in St. John's Hospital, Brooklyt suffering from a fracture of the skull

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ASKS FOR A HUGE REVIVAL

Moody Wants Churches to Unite in Holding

The Children's Festival, the Most Magnificent Scene Ever Witnessed on Any Stage.

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THE GREAT FIONDI. Press Eldridge, Bonate Thoraton, Max Figmen and Lillian Burkhardt, Leola Mitchella, Other Stars.

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STAR. Matinees Wednesday and Saturday.

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HOGAN'S ALLEY. FRANK B. CARR'S 310 AVE THEATRE. Fields & Hanson's Drawing Cards.

OPERA CO. BRIAN BORU. 7th Week, and Continued Success, 14TH ST. THEATRE, Near 6th av. Nights Good reserved seats, 50c, Mats. Wed, and THE CHERRY PICKERS.

Columbus Eve ga, 8:15. Mats. To-day & S.

LYCEUM. THE COURTSHIP OF LEONIE.

# HEARN

The first witness yesterday was Francesca fozia, wife of the grocer in whose shop faria was arrested. She knew Maria very for the Suppression of Vice, was a witness feel), and also Cataldo. Maria used to tell the toll her she would end her own life under the toll her she would end her own life under the toll her she would end her own life under the toll her she would end her own life under the tell to back up Anthony Comstock's statement that, when he saw the girl in Essex Marias. The first of the Suppression of Vice, was a witness for the Suppression of Vice, was a witness were arraigned before that, when he saw the girl in Essex Marthing, she series of the time, was a mass of cure was an and soccupty, in addition to former space, the large room formerly given where two small spaces had been left for the time, was a mass of cure was entirely hidden, except where two small spaces had been left for the time, was a mass of cure was entirely hidden, except where two small spaces had been left for the time, was a subserved. She held her head down and stared at the floor and did not any of the store of the witness asswered. She held her head down and stared at the floor and did not any of the witness as the certain

### DRESS GOODS

Average Prices now are Twenty to Fifty per cent No matter what the price, the goods are right. Choicest styles bitherto .75 ...... getting her to falk to me. When I would speak to her about the howleddes he would always say that she did not remember. She would always say that she did not remember. She would always say that she did not remember. She would have said had he heard the ear the fall the street of the she would have said had he heard the would have said had he heard the said the street of the she would have said had he heard the said the street of the she would have said had he heard the such that she did not remember. She would have said had he heard the such the would have said had he heard the such the would have said had he heard the such the would have said had he heard the such the would have said had he heard the such the said the would have said had he heard the such the said the said would have said had he heard the such the said the would have said had he heard the such the said the would have said had he heard the such the said the was a spote the street. The said the girl was quieter after the passing of the death said he was upone to the said the was upone to the said he was upone to the said had he heard the would have said he was a sold of No. 200 had not said the was a spote said of No. 200 had many said the said had he heard the would have said had he heard the heard the heard had he heard the heard the heard the heard the heard the heard the would have said had he heard the heard

nearly 20,000 pieces

Every fancy shade, embroidered on one or both

ends with gold thread, silk floss or both-with

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We can sell

Beautiful specimens of Japanese handlwork.

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Some folks might claim they are worth more

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silk knotted fringes, or net top tassel fringes-

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A THOUSAND SUITS AT 2.98

Fine All Wool Cheviot and Tweed-plain, fancy

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Reefer styles-3 to 16 yrs-others with deep sallor

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Fifty cent Qualities and styles ...... at .29 Ladies' Extra Heavy Ribbed fleeced Vests and Pants-long and short sleeves-silk trimmed and stitched-Qualities and styles ..... at .49 Dollar fifty Qualities and styles ..... at .79 Two dollar Qualities and styles......at .98
Two fifty Qualities and styles......at 1.49 Pents with patent band ..... .. at 1.49 Ladies' Fast Black Cotton Hose-high spliced bods and double soles, also Children's Extra Heavy Ribbed Cotton Ladies' Fast Black Farmers Satin Skirts, also Outing Flanuel-lined-large sizes-deep Umbrelia ruffie, trim'd with mobair as very extra special bargains with a great bis

Men's Natural Wool Half Hose ........... .12% Men's Camel's hair Shirts and Drawers. Men's Negligee Shirts in fine finnels.... .98 every day offerings ..... They are good value, Ladies' Krimmer Collarettes richly lined-peal value \$15..... 8.08 but not any better value than we give from day

edged with sable or fancy fur ..... 2.98 Black Thibet Boas-extra quality-11/2 yds. 3.40 Children's White Lumb Sets-silk lined ... 1,19 Cream Point Venice Nets for Boleroe, fronts and collars; worth .85 ... Swiss Bureau Sets t pleces lace Irish Point and Applique Lace

The above are on second floor next millinery. IN TRUNK DEPARTMENT Another sale of

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NEW METROPOLITAN OPERA HOUSE. Grand Opera, Sesson 1886-9R-iba has ecovered from her recent indisposition and will positively appear as Juliette to-night.

This afternoon, Dec. 2, at 2, First of the series of Wednesday Matiness at noming night. mini. Conductor Bevignani.

Mat., Dec 5, Lobengrin (in German).

Eames, Olitzka, Jean and Ed. De Reszkesispham. Conductor, Anton Seidi.

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REFERTOIRE FOR NEXT WEEK.
Mon. Ev'g. Dec. 7, DON GIOVANNI.
Wed. Matinee, Dec. 9 fat pop. prices), TANN-HAUSER.
Wed. Ev'g. Dec. 9, FAUST.
Fsl. Ev'g. Dec. 11, CARMEN.
Prices for Regular Subscription Performances.
S1, \$1.50, \$2, \$2.50, \$3 and \$5. Boxes, \$20, \$25, \$30 and \$50. Prices for Sat. Nights and Wed.
Matinees, 50c., 75c., \$1, \$1.50, \$2.50. Boxes, \$10, \$15 and \$20.
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To-night & Friday: Miss Ada In LONDON ASSURANCE. KOSTER LONA BARRISON.

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Last 5 times "THE MANDARIN."

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Lucky the boy who counts his years as 13, 14 or 15; thrice lucky the mother with three boys wearing

500 long-trouser suits of the three sizes go on sale to-day; plain colors and fancy mixtures; priced formerly \$10 to \$20—the majority among the higher priced.

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